

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-SIXTH DAY, MONDAY, MAY 2, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, righteousness and justice are the foundation of Your throne; mercy and truth go before You.

All Your works are true and Your ways just. May, at the end of the day, the same be said of us.

You have instructed us in Your Word that only through pride comes unprofitable debates, but with those who take advice is wisdom.

Lord God we ask of Your wisdom in all we do, for we are confident that the wisdom that comes from You directs us to be peaceful, reasonable, sensible, helpful, impartial and without hypocrisy.

As we make tough decisions today, may we do so with a focused mind and a servant's heart.

We ask these things of You, in the name of Your Son, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Joe Sherman.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2693

and

House Resolution No. 2694 - Representative LeVota

House Resolution No. 2695

through

House Resolution No. 2708 - Representative Schoemehl

House Resolution No. 2709

through

House Resolution No. 2722 - Representative Hobbs

House Resolution No. 2723 - Representatives Bringer and Munzlinger

House Resolution No. 2724 through	
House Resolution No. 2732	- Representative Page
House Resolution No. 2733 through	
House Resolution No. 2746	- Representative Davis
House Resolution No. 2747	- Representative Robb
House Resolution No. 2748 and	
House Resolution No. 2749	- Representative Bearden
House Resolution No. 2750 and	
House Resolution No. 2751	- Representative Cooper (158)
House Resolution No. 2752 and	
House Resolution No. 2753	- Representative Dethrow
House Resolution No. 2754	- Representative LeVota
House Resolution No. 2755	- Representative Lager
House Resolution No. 2756	- Representative Baker (25)
House Resolution No. 2757 and	
House Resolution No. 2758	- Representative Swinger
House Resolution No. 2759 and	
House Resolution No. 2760	- Representative Whorton
House Resolution No. 2761	- Representative Lager
House Resolution No. 2762	- Representative Munzlinger
House Resolution No. 2763	- Representative Wilson (119)
House Resolution No. 2764 through	
House Resolution No. 2766	- Representative Rucker
House Resolution No. 2767	- Representative Skaggs
House Resolution No. 2768	- Representative Kuessner, et al.
House Resolution No. 2769	- Representative Kuessner
House Resolution No. 2770	- Representative Kraus
House Resolution No. 2771	- Representatives Henke and Sutherland
House Resolution No. 2772	- Representatives Baker (25) and Harris (23)
House Resolution No. 2773	- Representative Wasson
House Resolution No. 2774	- Representative Oxford
House Resolution No. 2775	- Representative Smith (14)
House Resolution No. 2776	- Representative Witte
House Resolution No. 2777	- Representative Chinn
House Resolution No. 2778	- Representative Wells
House Resolution No. 2779	- Representative Chinn
House Resolution No. 2780	- Representative Loehner
House Resolution No. 2781	- Representative Black

House Resolution No. 2782
through
House Resolution No. 2785 - Representative Sander
House Resolution No. 2786
through
House Resolution No. 2794 - Representative Cunningham (145)

SECOND READING OF SENATE BILL

SS SCS SBs 37, 322, 78, 351 & 424 was read the second time.

THIRD READING OF SENATE BILL

HCS SS SCS SB 210, relating to local government, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 34.070, Page 3, Line 6, by deleting the word “**or**” after the word “**percent**”; and

Further amend said substitute, Section 44.090, Page 3, Line 27, by deleting the word “**an**” before the word “**execution**” and by deleting the word “**are**” before the word “**automatically**”; and

Further amend said section, Page 4, Line 44, by inserting the word “**a**” before the word “**license**”; and

Further amend said section and page, Line 57, by deleting the word “**subdivisions**” and inserting in lieu thereof the word “**subdivisions**”; and

Further amend said substitute, Section 56.640, Page 14, Line 9, by deleting the word “**counselors**” and inserting in lieu thereof the word “**counselor’s**”; and

Further amend said substitute, Section 99.1082, Page 38, Line 80, by deleting the third occurrence of the word “**one**” and inserting in lieu thereof the word “**nine**”; and

Further amend said substitute, Section 99.1086, Page 42, Line 226, by deleting the second occurrence of the word “**redevelopment**” and inserting in lieu thereof the word “**development**”; and

Further amend said substitute, Section 99.1088, Page 43, Line 6, by deleting the words “**subsection 2**” and inserting in lieu thereof the words “**subsections 2 and 3**”; and

Further amend said substitute, Section 137.071, Page 55, Line 18, by deleting the word “**of**” and inserting in lieu thereof the word “**or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 1** was adopted.

Representative Daus offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 81, Section 250.140, Line 14, by deleting the word “**sixty**”, and inserting in lieu thereof the following: “**ninety**”; and

Further amend said section, Page 81, Line 15, by deleting the word “**sixty**”, and inserting in lieu thereof the following: “**ninety**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Daus moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Baker 25	Bringer	Brooks	Brown 50	Burnett
Corcoran	Daus	Donnelly	El-Amin	Fraser
George	Hoskins	Hughes	Johnson 61	Jolly
Kratky	LeVota	Liese	Low 39	Lowe 44
Meiners	Oxford	Roorda	Rucker	Salva
Schoemehl	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Whorton	Wright-Jones
Yaeger	Young			

NOES: 115

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lampe	Lembke
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Boykins	Brown 30	Haywood
Hubbard	Marsh	Page	Walton	Yates

VACANCIES: 001

Representative Schneider offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 82, Section 250.140, Line 26, by inserting after said language the following:

“5. Any city town, village, or sewer district or water supply district organized and incorporated under Chapter 247, RSMo, rendering sewerage services, water services, or water and sewerage services shall charge at a minimum a one hundred dollar deposit on non-owner occupied residences.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kraus offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Phillips offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 72, Section 190.010, Lines 3-11, by deleting all of said lines and inserting in lieu thereof the following:

“necessarily implied. The territory contained within the corporate limits of a proposed ambulance district shall not be required to be contiguous. Any territory which is non-contiguous within a proposed district must be located so that least a portion of the territory lies within five miles of any other portion of the territory contained within the proposed ambulance district. Notwithstanding the provisions of subsection 2 of section 190.015, an ambulance district may include municipalities or territory not in municipalities or both or territory in one or more counties, except, that the provisions of section 190.001 to 190.090 are not effective in counties having a population of more than four hundred thousand inhabitants at the time the ambulance district is formed. The territory contained within the corporate limits of an existing ambulance district shall not be incorporated in another ambulance district. Ambulance districts created”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Burnett raised points of order that **House Amendment No. 1 to House Amendment No. 4** is not a true amendment to the amendment and that the distribution of the amendment to the amendment was not timely.

The Chair ruled the points of order not well taken.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

On motion of Representative Phillips, **House Amendment No. 4** was adopted.

Representative Lager offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 97, Section 3, Line 7, by inserting after the word "officials", the following:

“, unless the current salary of such officials, as of August 28, 2005, is lower than the compensation provided under the salary schedules, in which case, the current salary of such officials shall be set as a base salary”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sutherland offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Lines 5-6, by striking the following:

“, in which case, the current salary of such officials shall be set as a base salary”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Lager, **House Amendment No. 5, as amended**, was adopted.

Representative Witte offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 38, Section 99.1082, Line 85, by deleting the word "**one**" and inserting in lieu thereof the words "**ten thousand**"; and

Further amend said bill, Page 38, Section 99.1082, Line 85, by inserting at the end of said line the following:

"or

(d) At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine thousand nine hundred and ninety-nine inhabitants"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 6** was adopted.

Representative Pollock offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Pages 23 - 28, Section 67.1305, Lines 1 - 183, by deleting all of said lines and inserting in lieu thereof the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303. The governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local option economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the

account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process; and,
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(1) The economic development tax board established by a city and shall consist of five members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;
- (b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and,
- (c) One member shall be appointed by the governing body of the county in which the city is located.

(2) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (b) Four members shall be appointed by the governing body of the county; and
- (c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall

hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the local option economic development sales tax imposed under this section when imposed within a special taxing district, including, but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year; and

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section

67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."

On motion of Representative Pollock, **House Amendment No. 7** was adopted.

Representative Pearce offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 545.550, Page 96, Line 13, by inserting after all of said line the following:

"573.505. 1. In order to defray the costs of background checks conducted pursuant to section 573.503, any city not within a county and any county may, by ordinance or order, impose a sales tax on all retail sales which are subject to taxation under the provisions of sections 144.010 to 144.510, RSMo, made in such city or county by any adult cabaret. The tax authorized by this section shall not be levied at a rate which would amount to a sum greater than [ten] **five** percent of the gross receipts of any such business. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order or ordinance imposing a sales tax under the provisions of this section shall be effective unless the governing body of the city or county submits to the voters of the city or county, at a city, county or state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the city or county of (city's or county's name) impose a sales tax upon adult cabarets of (Insert amount) for a period not to exceed (Insert number) years for the purpose of investigating the background of the employees of such businesses **and for the general law enforcement use of the sheriff's office with existing revenues to be used for either purpose?**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the city or county shall have no power to impose the sales tax authorized by this section unless and until the governing body of the city or county shall again have submitted another proposal to authorize the governing body of the city or county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a city or county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used by the city or county [solely] for the investigation of the backgrounds of persons employed at any adult cabaret in such city or county **and for the general law enforcement use of the sheriff's office**. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

4. The tax authorized by this section shall terminate four years from the date on which such tax was initially imposed by the city or county, unless sooner abolished by the governing body of the city or county.

5. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "City and County Background Check Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city or county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the city or county treasurer of each such city or county, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city or county.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

8. As used in this section, the term "city" means any city not within a county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 8** was adopted.

Representative Johnson (47) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 36, Section 94.270, Line 59, by deleting “2 to” and inserting in lieu thereof “4 and”; and

Further amend said section and page, Lines 62-63, by deleting said lines and inserting in lieu thereof the following:

“7. Any city under subsections 1, 2 and 3 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

(a) One-eighth of one percent of such hotels’ or motels’ gross revenue; or

(b) The business license tax rate for such hotel or motel on May 1, 2005.

8. The provisions of subsection 7 shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005.

9. The provisions of subsections 4, 5, 6, and 7 of this section shall become effective on January 1, 2006.

10. Notwithstanding any other provision of law to the contrary, any city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated within the city, which tax shall be not more than five percent of the charges paid for such sleeping rooms, in lieu of any license tax currently imposed on hotels and public boarding houses under section 94.270, RSMo. The governing body of such city shall expend all revenues derived from the tax imposed under this section to promote tourism and to defray the operational and maintenance expenses of any recreational or sporting facilities constructed in the city prior to August 28, 2005. The Mayor, with the consent of the governing body, shall appoint an advisory board to assist the city in ensuring that the revenues derived from the tax imposed under this section are allocated and expended in a manner consistent with the provisions of this section. The advisory board shall consist of two members representing the hotel and motel industry, two members representing the local, general business community, and two members of the governing body.”; and

Further amend said substitute, Section 94.270, Page 36, Line 63, by inserting after all of said line the following:

“94.834. 1. The governing body of any city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants, the governing body of any city of the third classification with more than twelve thousand four hundred but less than twelve thousand five hundred inhabitants, the governing body of any city of the fourth classification with more than two thousand three hundred but less than two thousand four hundred inhabitants and located in any county of the fourth classification with more than thirty-two thousand nine hundred but

less than thirty-three thousand inhabitants, and the governing body of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the fourth classification with more than twenty-three thousand seven hundred but less than twenty-three thousand eight hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 9** was adopted.

Representative Smith (14) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 301.025, Page 88, Line 177, by inserting after all of said line the following:

“321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES

☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT

Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.)

ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.)

FOR BOARD OF DIRECTORS

..... ☐?

..... ☐

..... ☐?

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified, **provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified.** The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the (Insert name of district) Fire Protection District be increased to five members?

☐ YES

☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified, **provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified.**

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.

321.190. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two in any calendar month, except that in a county of the first class having a charter form of government, he shall not be paid for attending more than four in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week.** In addition, the chairman of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall

not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his actual expenditures in the performance of his duties on behalf of the district. The secretary and the treasurer, if members of the board of directors, may each receive such additional compensation for the performance of their respective duties as secretary and treasurer as the board shall deem reasonable and necessary, not to exceed one thousand dollars per year. The circuit court having jurisdiction over the district shall have power to remove directors or any of them for good cause shown upon a petition, notice and hearing.”; and

Further amend said substitute, Page 91, Section 321.322, Line 62, by inserting after said line the following:

“321.603. In addition to the compensation provided pursuant to section 321.190 for fire protection districts located in a county of the first classification with a charter form of government, each member of any such fire protection district board may receive an attendance fee not to exceed one hundred dollars for attending a board meeting conducted pursuant to chapter 610, RSMo, but such board member shall not be paid for attending more than four such meetings in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one meeting conducted under chapter 610, RSMo, in a calendar week.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey offered **House Amendment No. 1 to House Amendment No. 10.**

*House Amendment No. 1
to
House Amendment No. 10*

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 3, by inserting after all of said line the following:

“66.411. No county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants shall dissolve, eliminate, merge, or terminate a municipal fire department of any home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants, until it has been submitted to an election of the voters residing within the home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants, and assented to by a majority vote of the voters of the city voting on the question.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Smith (14), **House Amendment No. 10, as amended**, was adopted.

Representative Lembke offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 88, Section 301.025, Line 177, by inserting after said line the following:

“321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least [two years] **one year** before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than [two years] **one year** before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lembke, **House Amendment No. 11** was adopted.

Representative George offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 73, Section 190.015, Line 20, by deleting the words “**may choose to**” and inserting in lieu thereof the following:

“with boundaries congruent with each participating fire protection district’s existing boundaries provided no ambulance district already exists in whole or part of any district being proposed and the dominant provider of ambulance services within the proposed district as of September 1, 2005, discontinues ambulance services, and the board of each participating district, by a majority vote, approves the formation of such a district and participating fire protection districts are contiguous. Upon approval by the fire protection district boards, subsection 1 of this section shall be followed for formation of the ambulance district. Services provided by a district under this subsection shall only include emergency ambulance services as defined in section 321.225, RSMo.”; and

Further amend said section and page, Lines 21-23, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative George, **House Amendment No. 12** was adopted.

Representative Wasson offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 70, Section 140.150, Line 4, by deleting the opening and closing brackets; and

Further amend said section and page, Lines 4-6, by deleting the following:

“on a day in August, such date to be specified by the county collector no later than July fifteenth in the year in which the sale is to be held”; and

Further amend said substitute, Pages 71-72, Section 140.170, Lines 1-39, by deleting said section from the substitute; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wright (159) offered **House Amendment No. 1 to House Amendment No. 13**.

*House Amendment No. 1
to
House Amendment No. 13*

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 14, by inserting after all of said line the following:

"4. Notwithstanding the provisions of subsection 3 of this section to the contrary, any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants shall retain the position of township collector which shall be governed by the township collector law as it existed on August 27, 2005, unless by a majority vote of the qualified voters in the county the position of township collector is converted to the position of collector-treasurer. The question of converting the position of township collector to the position of collector-treasurer in such county may be put to a vote in the county either upon a majority vote of the county commission or upon submission of a petition signed by at least five percent of the registered voters of the county presented to the county commission. If the question is put to a vote and passes by a majority of the voters voting in such election, such county shall convert the position of township collector to the position of collector-treasurer."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett raised a point of order that the distribution of **House Amendment No. 1 to House Amendment No. 13** was not timely.

The Chair ruled the point of order not well taken.

On motion of Representative Wright (159), **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Wasson, **House Amendment No. 13, as amended**, was adopted.

Representative Richard offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 4, Page 99, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant and convey all interest in fee simple absolute in property owned by the state in Jasper County. The property to be conveyed is more particularly described as follows:

All of Lots Numbered Ninety-seven (97) and Ninety-eight (98) in Byer's and Murphy's Addition to Murphysburg, now a part of the City of Joplin, Jasper County, Missouri.

All of Lots 131 and 132 in Byers and Murphy's Addition to the town of Murphysburg in the City of Joplin, Jasper County, Missouri, situated in the Northeast Quarter (N. E. 1/4) of the

Northeast Quarter (N.E. 1/4) of Section Ten (S.10) Township Twenty-seven (Twp. 27), and Range Thirty-three (R. 33).

All of Lots Numbered Ninety-Nine (99) and One Hundred (100) in Byers and Murphy's Addition to the Town of Murphysburg, now a part of the City of Joplin, Jasper County, Missouri.

This property is used by the Division of Workforce Development as a career center.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 14** was adopted.

Representative Wilson (119) offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 137.720, Page 64, Line 22, by inserting immediately after the word “**expenses**” the following:

“identified in a memorandum of understanding signed by the county’s governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund”; and

Further amend said page, Line 23, by removing the brackets “[]” around the word “unanimously”; and

Further amend said page, Line 24, by removing the words “**at least two of the following:**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 15** was adopted.

Representative Dempsey offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 8, Section 50.1031, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"of assets to the actuarial accrued liability equaling at least eighty percent. No benefit adjustment shall be adopted which causes the funded ratio to fall more than five percent.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 16** was adopted.

Representative Sutherland offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 55, Section 137.071, Line 24, by inserting after all of said line the following:

“Section A. Section 137.078, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 137.078, 137.079, and 137.122, to read as follows:

137.078. 1. For purposes of this section, the following terms shall mean:

(1) "Analog equipment", all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows [and], **radio programs, or commercials through the use of analog technology, including studio broadcast equipment, transmitter and antenna equipment, and broadcast towers;**

(2) "Applicable analog fraction", a fraction, the numerator of which is the total number of analog television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable analog fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(3) "Applicable analog percentage", the following percentages for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
				1%
2006				1%
2005			25%	1%
2004		50%	25%	1%
2003	75%	50%	25%	1%
2002	75%	50%	25%	1%
2001	75%	50%	25%	1%
2000	75%	50%	25%	1%
1999	75%	50%	25%	1%
1998	75%	50%	25%	1%
Prior	75%	50%	25%	1%;

(4) "Applicable digital fraction", a fraction, the numerator of which is the total number of digital television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable digital fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(5) **"Broadcast towers", structures with a function that includes holding television or radio broadcasters' antennae, repeaters, or translators at the height required or needed to transmit over-the-air signals or enhance the transmission of the signals. This term also includes the structures at least partially used by television broadcasters or radio broadcasters to provide weather radar information to the public. For property tax assessment purposes, broadcast towers are classified as tangible personal property;**

(6) "Digital equipment", all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows [and], **radio programs, or commercials through the use of digital technology, including studio broadcast equipment, transmitter and antenna equipment, and broadcast towers;**

(7) **"Radio broadcasters", all businesses that own, lease, or operate radio broadcasting stations that transmit radio shows and commercials and that are required to be licensed by the Federal Communications Commission to provide such services;**

(8) **"Radio broadcasting equipment", both analog equipment and digital equipment;**

[(6)] (9) "Television broadcasters", all businesses that own, lease, or operate television broadcasting stations that transmit television shows and commercials and that are required to be licensed by the Federal Communications Commission to provide such services;

[(7)] (10) **"Television broadcasting equipment", both analog equipment and digital equipment;**

(11) **"Transmitter and antenna equipment", equipment with functions that include transmitting signals from broadcast studios by increasing the power, tuning signals to the frequency allowed by regulatory authorities, and broadcasting signals to the public for television broadcasters or radio broadcasters;**

(12) **"Studio broadcast equipment", studio equipment that receives, produces, modifies, controls, measures, modulates, adds to or subtracts from, or enhances signals in the process that results in over-the-air signals for television broadcasters or radio broadcasters.**

2. In response to recent action by the Federal Communications Commission, as described by the commission in the fifth report and order, docket number 97-116, for purposes of assessing all items of television broadcasting equipment that are owned and used by television broadcasters for purposes of broadcasting television shows and commercials:

(1) The true value in money of all analog equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (1) of subsection 3 of this section and multiplying the results by the applicable analog percentage. The result of the second computation is multiplied by the applicable analog fraction to determine the true value in money of the analog equipment; and

(2) The true value in money of all digital equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (2) of subsection 3 of this section and multiplying the results by the applicable digital fraction to determine the true value in money of the digital equipment.

3. For purposes of subsection 2 of this section, the depreciation tables for determining the [fair] true value in money of television broadcasting equipment are as follows:

(1) For analog equipment, the following depreciation tables will apply for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
2006				65%
2005			65%	45%
2004		65%	45%	30%
2003	65%	45%	30%	20%
2002	45%	30%	20%	10%
2001	30%	20%	10%	5%
2000	20%	10%	5%	5%
1999	10%	5%	5%	5%
1998	5%	5%	5%	5%
Prior	5%	5%	5%	5%;

(2) For digital equipment, the following depreciation tables will apply for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
2006				65%
2005			65%	45%
2004		65%	45%	30%
2003	65%	45%	30%	20%
2002	45%	30%	20%	10%
2001	30%	20%	10%	5%
2000	20%	10%	5%	5%
1999	10%	5%	5%	5%
1998	5%	5%	5%	5%
Prior	5%	5%	5%	5%.

4. Beginning January 1, 2008, for purposes of assessing all items of television broadcasting equipment that are owned and used by television broadcasters for purposes of broadcasting television shows and commercials, the following depreciation tables will be used to determine their true value in money. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Studio Broadcast Equipment	Transmitter and Antenna Equipment	Broadcast Tower
1	65%	91%	96%
2	45%	82%	93%
3	30%	73%	89%
4	20%	64%	86%
5	10%	55%	82%
6	5%	46%	79%

7	37%	75%
8	28%	72%
9	19%	68%
10	10%	65%
11		61%
12		58%
13		54%
14		51%
15		47%
16		44%
17		40%
19		33%
20		30%
21		27%
22		24%
23		21%
24		18%
25		15%.

Television broadcasting equipment in all recovery periods shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column so long as it is owned or held by the taxpayer.

5. Effective January 1, 2006, for purposes of assessing all items of radio broadcasting equipment that are owned and used by radio broadcasters for purposes of broadcasting radio programs and commercials, the following depreciation tables will be used to determine their true value in money. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Studio Broadcast Equipment	Transmitter and Antenna Equipment	Broadcast Tower
1	65%	91%	96%
2	45%	82%	93%
3	30%	73%	89%
4	20%	64%	86%
5	10%	55%	82%
6	5%	46%	79%
7		37%	75%
8		28%	72%
9		19%	68%
10		10%	65%
11			61%
12			58%
13			54%
14			51%
15			47%
16			44%
17			40%
19			33%
20			30%
21			27%
22			24%
23			21%
24			18%
25			15%.

Radio broadcast equipment in all recovery periods shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column so long as it is owned or held by the taxpayer.

137.079. Prior to setting its rates or rates as required by section 137.073, each taxing authority shall exclude from its total assessed valuation seventy-two percent of the total amount of assessed value of business personal property that is subject to an appeal at the state tax commission or in a court of competent jurisdiction in this state. This exclusion shall only apply to the portion of the assessed value of business personal property that is disputed in the appeal, and shall not exclude any portion of the same property that is not disputed. If the taxing authority uses a multi-rate approach as provided in section 137.073, this exclusion shall be made from the personal property class. The state tax commission shall provide each taxing authority with the total assessed value of business personal property within the jurisdiction of such taxing authority for which an appeal is pending no later than August 20 of each year. Whenever any appeal is resolved, whether by final adjudication or settlement, and the result of the appeal causes money to be paid to the taxing authority, the taxing authority shall not be required to make an additional adjustment to its rate or rates due to such payment once the deadline for setting its rates, as provided by this chapter, has passed in a taxable year, but shall adjust its rate or rates due to such payment in the next rate setting cycle to offset the payment in the next taxable year. For the purposes of this section, the term "business personal property", means tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property subject to the tables provided in section 137.078, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030."; and

Further amend said bill, Section 137.122, Pages 59 to 62, Lines 1 to 94, by deleting all of said lines and inserting in lieu thereof the following:

"137.122. 1. As used in this section, the following terms mean:

(1) "Business personal property", tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, grain and other agricultural crops in an unmanufactured condition, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property assessed under section 137.078, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030;

(2) "Class life", the class life of property as set out in the federal Modified Accelerated Cost Recovery System life tables or their successors under the Internal Revenue Code as amended;

(3) "Economic or functional obsolescence", a loss in value of personal property above and beyond physical deterioration and age of the property. Such loss may be the result of economic or functional obsolescence or both;

(4) "Original cost", the price the current owner, the taxpayer, paid for the item without freight, installation, or sales or use tax. In the case of acquisition of items of personal property as part of an acquisition of an entity, the original cost shall be the historical cost of those assets remaining in place and in use and the placed in service date shall be the date of acquisition by the entity being acquired;

(5) "Placed in service", property is placed in service when it is ready and available for a specific use, whether in a business activity, an income-producing activity, a tax-exempt activity, or a personal activity. Even if the property is not being used, the property is in service when it is ready and available for its specific use;

(6) "Recovery period", the period over which the original cost of depreciable tangible personal property shall be depreciated for property tax purposes and shall be the same as the recovery period allowed for such property under the Internal Revenue Code.

2. To establish uniformity in the assessment of depreciable tangible personal property, each assessor shall use the standardized schedule of depreciation in this section to determine the assessed valuation of depreciable tangible personal property for the purpose of estimating the value of such property subject to taxation under this chapter.

3. For purposes of this section, and to estimate the value of depreciable tangible personal property for mass appraisal purposes, each assessor shall value depreciable tangible personal property by applying the class life and recovery period to the original cost of the property according to the following depreciation schedule. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year

following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Recovery Period in Years					
	3	5	7	10	15	20
1	75.00	85.00	89.29	92.50	95.00	96.25
2	37.50	59.50	70.16	78.62	85.50	89.03
3	12.50	41.65	55.13	66.83	76.95	82.35
4	5.00	24.99	42.88	56.81	69.25	76.18
5		10.00	30.63	48.07	62.32	70.46
6			18.38	39.33	56.09	65.18
7			10.00	30.59	50.19	60.29
8				21.85	44.29	55.77
9				15.00	38.38	51.31
10					32.48	46.85
11					26.57	42.38
12					20.67	37.92
13					15.00	33.46
14						29.00
15						24.54
16						20.08
17						20.00

Depreciable tangible personal property in all recovery periods shall continue in subsequent years to have the depreciation factor last listed in the appropriate column so long as it is owned or held by the taxpayer. The state tax commission shall study and analyze the values established by this method of assessment and in every odd-numbered year make recommendations to the joint committee on tax policy pertaining to any changes in this methodology, if any, that are warranted.

4. Such estimate of value determined under this section shall be presumed to be correct for the purpose of determining the true value in money of the depreciable tangible personal property, but such estimation may be disproved by substantial and persuasive evidence of the true value in money under any method determined by the state tax commission to be correct, including, but not limited to, an appraisal of the tangible personal property specifically utilizing generally accepted appraisal techniques, and contained in a narrative appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice or by proof of economic or functional obsolescence or evidence of excessive physical deterioration. For purposes of appeal of the provisions of this section, the salvage or scrap value of depreciable tangible personal property may only be considered if the property is not in use as of the assessment date.

5. This section shall not apply to business personal property placed in service before January 2, 2006.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wilson (119) offered **House Amendment No. 1 to House Amendment No. 17.**

*House Amendment No. 1
to
House Amendment No. 17*

AMEND House Amendment No. 17 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Line 17, by inserting after the number “**137.078**,” the following:

“the property of rural electric cooperatives pursuant to chapter 394, RSMo,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 1 to House Amendment No. 17** was adopted.

On motion of Representative Sutherland, **House Amendment No. 17, as amended**, was adopted.

Representative Dethrow offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 9, Section 52.317, by deleting said section; and

Further amend said bill, Page 99, Section 4, Line 60, by inserting after said line the following:

“Section 5. For one-time expenditures directly attributable to any department, office, institution, commission, or county court the county commission may budget such expenses in a common fund or account so that any such expenditures separately budgeted does not appear in any specific department, county office, institution, commission, or court budget.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 18**.

*House Amendment No. 1
to
House Amendment No. 18*

AMEND House Amendment No. 18 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 2, by striking “by deleting said section” and inserting in lieu thereof the following:

Line 1, by inserting “**1.**” after “52.317.”; and

Further amend said section and page, Lines 2-3, by deleting the words “**excluding capital improvements and equipment purchases**”; and

Further amend said House Amendment, Lines 4-8, by deleting said lines and inserting in lieu thereof the following:

Further amend said section and page, Line 16, by inserting after all of said lines the following:

“2. For one-time expenditures directly attributable to any department, office, institution, commission, or county court the county commission may budget such expenses in a common fund or account so that any such expenditures separately budgeted does not appear in any specific department, county office, institution, commission, or court budget.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 1 to House Amendment No. 18** was adopted.

On motion of Representative Dethrow, **House Amendment No. 18, as amended**, was adopted.

Representative Smith (118) offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Section 54.320, Line 32, by inserting after the word "percent" the following:

"for the first four million dollars, two and one-half percent on four million and one dollars to seven million dollars, two percent on seven million and one dollars to ten million dollars, one and one-half percent on ten million and one dollars to thirteen million dollars, one percent on thirteen million and one dollars to seventeen million dollars, and three-fourths of one percent on seventeen million and one dollars and over,".

On motion of Representative Smith (118), **House Amendment No. 19** was adopted.

Representative Rupp offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 14, Section 56.631, Line 3, by inserting before the word "may" the following:

", except for any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rupp, **House Amendment No. 20** was adopted.

Representative Smith (118) offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Section 54.320, Line 39, deleting the word "may" and inserting in lieu thereof the word "shall"; and

Further amend said bill, Page 12, Section 54.320, Line 73, by inserting at the end of said bill the following:

"4. For the performance of duties provided for in Section 54.280 and this section, the collector-treasurer in each county having a township organization shall receive additional compensation in an annual sum of five thousand dollars, to be paid from the county treasury in twelve equal monthly installments. Notwithstanding any other provisions of the law to the contrary, the compensation authorized in this subsection shall be in addition to all other compensation provided by law."

Representative Deeken offered **House Amendment No. 1 to House Amendment No. 21**.

House Amendment No. 1
to
House Amendment No. 21

AMEND House Amendment No. 21 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 54.320, Line 7, by inserting after the word “**collector-treasurer**” the words “**and county clerk**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Deeken moved that **House Amendment No. 1 to House Amendment No. 21** be adopted.

Which motion was defeated.

On motion of Representative Smith (118), **House Amendment No. 21** was adopted.

Representative Nolte offered **House Amendment No. 22.**

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 44.090, Page 4, Line 59, by inserting after all of said line the following:

“50.333. 1. There shall be a salary commission in every nonchartered county.

2. The clerk **or court administrator** of the circuit court of the judicial circuit in which such county is located shall set a date, time and place for the salary commission meeting and serve as temporary chairman of the salary commission until the members of the commission elect a chairman from their number. Upon written request of a majority of the salary commission members the clerk **or court administrator** of the circuit court shall forthwith set the earliest date possible for a meeting of the salary commission. The circuit clerk **or court administrator** shall give notice of the time and place of any meeting of the salary commission. Such notice shall be published in a newspaper of general circulation in such county at least five days prior to such meeting. Such notice shall contain a general description of the business to be discussed at such meeting.

3. The members of the salary commission shall be:

- (1) The recorder of deeds if the recorder's office is separate from that of the circuit clerk;
- (2) The county clerk;
- (3) The prosecuting attorney;
- (4) The sheriff;
- (5) The county commissioners;
- (6) The collector or treasurer ex officio collector;
- (7) The treasurer or treasurer ex officio collector;
- (8) The assessor;
- (9) The auditor;
- (10) The public administrator; and
- (11) The coroner.

Members of the salary commission shall receive no additional compensation for their services as members of the salary commission. A majority of members shall constitute a quorum.

4. Notwithstanding the provisions of sections 610.021 and 610.022, RSMo, all meetings of a county salary commission shall be open meetings and all votes taken at such meetings shall be open records. Any vote taken at any meeting of the salary commission shall be taken by recorded yeas and nays.

5. In every county, the salary commission shall meet at least once before November thirtieth of each odd-numbered year. The salary commission may meet as many times as it deems necessary and may meet after November thirtieth and prior to December fifteenth of any odd-numbered year if the commission has met at least once prior to

November thirtieth of that year. At any meeting of the salary commission, the members shall elect a chairman from their number. The county clerk shall present a report on the financial condition of the county to the commission once the chairman is elected, and shall keep the minutes of the meeting.

6. For purposes of this section, the 1988 base compensation is the compensation paid on September 1, 1987, plus the same percentage increase paid or allowed, whichever is greater, to the presiding commissioner or the sheriff, whichever is greater, of that county for the year beginning January 1, 1988. Such increase shall be expressed as a percentage of the difference between the maximum allowable compensation and the compensation paid on September 1, 1987. At its meeting in 1987 and at any meeting held in 1988, the salary commission shall determine the compensation to be paid to every county officer holding office on January 1, 1988. The salary commission shall establish the compensation for each office at an amount not greater than that set by law as the maximum compensation. If the salary commission votes to increase compensation, but not to pay the maximum amount authorized by law for any officer or office, then the increase in compensation shall be the same percentage increase for all officers and offices and shall be expressed as a percentage of the difference between the maximum allowable compensation and the compensation being received at the time of the vote. If two-thirds of the members of the salary commission vote to decrease the compensation being received at the time of the vote below that compensation, all officers shall receive the same percentage decrease. The commission may vote not to increase or decrease the compensation and that compensation shall continue to be the salary of such offices and officers during the subsequent term of office.

7. For the year 1989 and every second year thereafter, the salary commission shall meet in every county as many times as it deems necessary on or prior to November thirtieth of any such year for the purpose of determining the amount of compensation to be paid to county officials. For each year in which the commission meets, the members shall elect a chairman from their number. The county clerk shall present a report on the financial condition of the county to the commission once the chairman is elected, and shall keep minutes of the meeting. The salary commission shall then consider the compensation to be paid for the next term of office for each county officer to be elected at their next general election. If the commission votes not to increase or decrease the compensation, the salary being paid during the term in which the vote was taken shall continue as the salary of such offices and officers during the subsequent term of office. If the salary commission votes to increase the compensation, all officers or offices whose compensation is being considered by the commission at that time, shall receive the same percentage of the maximum allowable compensation. However, for any county in which all offices' and officers' salaries have been set at one hundred percent of the maximum allowable compensation, the commission may vote to increase the compensation of all offices except that of full-time prosecuting attorneys at that or any subsequent meeting of the salary commission without regard to any law or maximum limitation established by law. Such increase shall be expressed as a percentage of the compensation being paid during the term of office when the vote is taken, and each officer or office whose compensation is being established by the salary commission at that time shall receive the same percentage increase over the compensation being paid for that office during the term when the vote is taken. This increase shall be in addition to any increase mandated by an official's salary schedule because of changes in assessed valuation during the current term. If the salary commission votes to decrease the compensation, a vote of two-thirds or more of all the members of the salary commission shall be required before the salary or other compensation of any county office shall be decreased below the compensation being paid for the particular office on the date the salary commission votes, and all officers and offices shall receive the same percentage decrease.

8. The salary commission shall issue, not later than December fifteenth of any year in which it meets, a report of compensation to be paid to each officer and the compensation so set shall be paid beginning with the start of the subsequent term of office of each officer. The report of compensation shall be certified to the clerk of the county commission for the county and shall be in substantially the following form:

The salary commission for County hereby certifies that it has met pursuant to law to establish compensation for county officers to be paid to such officers during the next term of office for the officers affected. The salary commission reports that there shall be (no increase in compensation) (an increase of percent) (a decrease of percent) (county officer's salaries set at percent of the maximum allowable compensation). Salaries shall be adjusted each year on the official's year of incumbency for any change in the last completed assessment that would affect the maximum allowable compensation for that office.

9. For the meeting in 1989 and every meeting thereafter, in the event a salary commission in any county fails, neglects or refuses to meet as provided in this section, or in the event a majority of the salary commission is unable to reach an agreement and so reports or fails to certify a salary report to the clerk of the county commission by December fifteenth of any year in which a report is required to be certified by this section, then the compensation being paid to each affected office or officer on such date shall continue to be the compensation paid to the affected office or officer during the succeeding term of office.

10. Other provisions of law notwithstanding, in every instance where an officer or employee of any county is paid a mileage allowance or reimbursement, the county commission shall allow or reimburse such officers or employees out of the county treasury at the highest rate paid to any county officer for each mile actually and necessarily traveled in the performance of their official duties. The county commission of any county may elect to pay a mileage allowance for any county commissioner for travel going to and returning from the place of holding commission meetings and for all other necessary travel on official county business in the personal motor vehicle of the commissioner presenting the claim. The governing body of any county of the first classification not having a charter form of government may provide by order for the payment of mileage expenses of elected and appointed county officials by payment of a certain amount monthly which would reflect the average monthly mileage expenses of such officer based on the amount allowed pursuant to state law for the payment of mileage for state employees. Any order entered for such purpose shall not be construed as salary, wages or other compensation for services rendered.

11. The term "maximum allowable compensation" as used in this section means the highest compensation which may be paid to the specified officer or office in the particular county based on the salary schedule established by law for the specified officer or office. If the salary commission at its meeting in 1987 voted for one hundred percent of the maximum allowable compensation and does not change such vote at its meeting held within thirty days after May 13, 1988, as provided in subsection 6 of this section, the one hundred percent shall be calculated on the basis of the total allowable compensation permitted after May 13, 1988.

12. At the salary commission meeting which establishes the percentage rate to be applied to county officers during the next term of office, the salary commission may authorize the further adjustment of such officers' compensation as a cost-of-living component and effective January first of each year, the compensation for county officers may be adjusted by the county commission, and if the adjustment of compensation is authorized, the percentage increase shall be the same for all county officers, not to exceed the percentage increase given to the other county employees. The compensation for all county officers may be set as a group, although the change in compensation will not become effective until the next term of office for each officer.

13. At the salary commission meeting in 1997 which establishes the salaries for those officers to be elected at the general election in 1998, the salary commission of each noncharter county may provide salary increases for associate county commissioners elected in 1996. This one-time increase is necessitated by the change from two- to four-year terms for associate commissioners pursuant to house bill 256, passed by the first regular session of the eighty-eighth general assembly in 1995."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 22** was adopted.

Representative Bruns offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 4, Page 99, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Cole County. The property to be conveyed is more particularly described as follows:

Part of Inlot No. 566, in the City of Jefferson, Missouri, more particularly described as follows: Beginning on the southerly line of said Inlot, at a point 35 feet easterly from the southwesterly corner thereof; thence easterly along the said southerly line, 32 feet; thence northerly parallel with Mulberry Street, 86 feet; thence westerly parallel with the southerly line of said Inlot, 32 feet; thence southerly parallel with Mulberry Street, 86 feet, to the point of beginning.

ALSO: Part of Inlots Nos. 566 and 567, in the City of Jefferson, Missouri, more particularly described as follows:

From the southwesterly corner of said Inlot No. 566; thence easterly along the southerly line thereof, 67 feet, to the southeasterly corner of a tract conveyed to Joseph R. Kroeger and wife, by deed of record in Book 172, page 693, Cole County Recorder's Office, and the beginning point of this description; thence northerly along the easterly line of the said Kroeger tract, 86 feet, to the northeasterly corner thereof; thence easterly parallel with the southerly line of Inlots Nos. 566 and 567, 51 feet; thence southerly parallel with the easterly line of the said Kroeger tract, 86 feet, to the southerly line of Inlot No. 567; thence westerly along the southerly line of Inlots Nos. 567 and 566, 51 feet, to the beginning point of this description.

40 feet off of the easterly side of Inlot No. 565 in the City of Jefferson, Missouri, and more particularly described as follows:

Beginning at the northeasterly corner of said Inlot 565 on McCarty Street, thence running westerly along McCarty Street 40 feet; thence southerly parallel with Mulberry Street 198 feet 9 inches to the Public Alley; thence easterly along said alley 40 feet; thence northerly along the line between Inlots Nos. 565 and 566, 198 feet 9 inches to the point of beginning.

Part of Inlot 566 in the City of Jefferson, Missouri, described as follows:

Beginning at the northwesterly corner of said inlot; thence easterly along McCarty Street, 35 feet; thence southerly parallel with Mulberry Street, 198 feet 9 inches; thence westerly along alley, 35 feet; thence northerly parallel with Mulberry Street, 198 feet 9 inches to beginning.

The southwesterly part of Inlot No. 565, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the southwesterly corner of said Inlot No. 565; thence northerly with the westerly line thereof, 45 feet; thence easterly parallel with the southerly line thereof, 64 feet 4 1/2 inches; thence southerly parallel with the westerly line, 45 feet, to the southerly line thereof; thence westerly with the southerly line, 64 feet 4 1/2 inches, to the point of beginning.

Part of Inlot No. 565, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at a point on the westerly line of said Inlot, which said point is 45 feet northerly from the southwesterly corner thereof; thence easterly parallel with McCarty Street, 64 feet 4-1/2 inches; thence northerly parallel with Mulberry Street, 36 feet 10-1/2 inches; thence westerly parallel with McCarty Street; 64 feet 4-1/2 inches, to the westerly line of said Inlot; thence southerly along the westerly line of said Inlot, 36 feet 10-1/2 inches, to the point of beginning.

The northeasterly part of Inlot No. 566, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northeasterly corner of said Inlot No. 566; thence westerly along the northerly line thereof, 37 feet 4 inches; thence southerly parallel with the easterly line of said Inlot, 112 feet 9 inches; thence easterly parallel with the southerly line of said Inlot No. 566, 37 feet 4 inches, to the easterly line of said Inlot; thence northerly along said easterly line, 112 feet 9 inches, to the point of beginning.

Also

Part of the westerly half of Inlot No. 567, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northwesterly corner of said Inlot No. 567; thence easterly along the northerly line thereof, 52 feet 2-1/4 inches; thence southerly parallel with the westerly line of said Inlot, 198 feet 9 inches, to the southerly line thereof; thence westerly along the said southerly line, 38 feet 6-1/4 inches, more or less, to the southeasterly corner of a tract conveyed to Joseph L. Kroeger and wife, by deed of record in Book 200, page 33, Cole County Recorder's Office; thence northerly along the easterly line thereof, 86 feet, to the northeasterly corner of said tract; thence westerly along the northerly line thereof, 13 feet 8 inches, more or less, to the westerly line of said Inlot No. 567; thence northerly along the said westerly line, 112 feet 9 inches, to the point of beginning.

Part of Inlot 566 in the City of Jefferson, Missouri, described as follows:

Beginning on the northerly line of said Inlot at a point which is 35 feet easterly of the northwest corner thereof, thence easterly along said northerly line 32 feet; thence southerly parallel with Mulberry Street 112 feet 9 inches; thence westerly parallel with the northerly line of said Inlot 32 feet; thence northerly 112 feet 9 inches to point of beginning.

Part of Inlot No. 567, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning on the northerly line of said Inlot No. 567, a distance of 12 feet 2 1/4 inches westerly from the northeasterly corner thereof; thence westerly along said northerly line, a distance of 40 feet; thence southerly parallel with the easterly line of said Inlot, a distance of 92 feet 3 inches, to the northerly line of a private alley; thence easterly along said northerly line of said alley and parallel with the northerly line of said Inlot, a distance of 40 feet; thence northerly parallel with the easterly line of said Inlot, a distance of 92 feet 3 inches, to the point of beginning.

Also the use of a 10 foot private alley touching upon and immediately adjacent to the southerly boundary line of the above described tract and running to the easterly line of Inlot No. 568.

Part of Inlots Nos. 567 and 568, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning on the northerly line of Inlot No. 568, 65 feet westerly from the northeasterly corner of said Inlot; thence westerly along the northerly line of Inlots Nos. 568 and 567, 51 feet 6-3/4 inches; thence southerly parallel with the westerly line of Inlot No. 568, 92 feet 3 inches, to the northerly line of a private alley; thence easterly along the northerly line of said alley and parallel with the northerly line of Inlots Nos. 567 and 568, 51 feet 6-3/4 inches; thence northerly parallel with the easterly line of said Inlot No. 568, 92 feet 3 inches, to the point of beginning.

Also the use of a ten foot private alley touching upon and immediately adjacent to the southerly boundary line of the above described tract and running to the easterly boundary line of Inlot No. 568.

Part of Inlot No. 568, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northeasterly corner of Inlot No. 568; thence westerly along the northerly line thereof, 65 feet; thence southerly parallel with the easterly line of said Inlot, 92 feet 3 inches; thence easterly parallel with the northerly line of said Inlot 65 feet, to the easterly line thereof; thence northerly along said easterly line, a distance of 92 feet 3 inches, to the point of beginning.

ALSO: A private alley, subject to existing easements, more particularly described as follows:

Beginning at a point on the easterly line of said Inlot No. 568, in the City of Jefferson, Missouri, said point being 96 feet 6 inches northerly of the southeasterly corner of said Inlot; thence northerly along the said easterly line, 10 feet; thence westerly parallel with McCarty Street, 156 feet 6-3/4 inches, to a point 52 feet 2-1/4 inches westerly of the easterly line of Inlot No. 567; thence southerly parallel with Broadway Street, 106 feet 6 inches, to the southerly line of Inlot No. 567; thence easterly along the southerly line of said Inlot, 10 feet; thence northerly parallel with Broadway Street, 96 feet 6 inches; thence easterly parallel with McCarty Street, 146 feet 6 3/4 inches, to the point of beginning; per Decree of the Circuit Court of Cole County, Missouri, entered March 7, 1925.

Part of Inlot No. 565 in the City of Jefferson, Missouri, described as follows:

Beginning at the northwesterly corner of said inlot; thence easterly along the northerly line thereof 64 feet 4-1/2 inches; thence southerly parallel with the westerly line of said inlot 80 feet; thence westerly parallel with the northerly line of said inlot 64 feet 4-1/2 inches; thence northerly along westerly line of said inlot 80 feet to the point of beginning.

Part of Inlot 565 in the City of Jefferson, Missouri, and more particularly described as follows:

Beginning at a point on the westerly line of said Inlot 565 which is 80 feet southerly from the northwesterly corner of said Inlot, thence southerly along the westerly line thereof 36 feet 10-1/2 inches, thence easterly parallel with McCarty Street, 64 feet 4-1/2 inches, thence northerly

parallel with Mulberry Street 36 feet 10-1/2 inches, thence westerly parallel with McCarty Street 64 feet 4-1/2 inches to the point of beginning.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 23** was adopted.

Representative Cooper (158) offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting after said language the following:

“58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Criminal abortions, including those self-induced;
- (3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the thirty-six-hour period preceding the death;
- (4) In any unusual or suspicious manner;
- (5) Any injury or illness while in the custody of the law or while an inmate in a public institution; the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or [his] deputy **coroner** shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. [He] **The coroner or deputy coroner** may take the names and addresses of witnesses to the death and shall file this information in [his] **the coroner's** office. The coroner or [his] deputy **coroner** shall take possession of all property of value found on the body, making exact inventory of such property on [his] **the** report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or [his] deputy **coroner** shall take possession of any object or article which, in [his] **the coroner or the deputy coroner's** opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.

3. Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff [and] **or** the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of [his] **the coroner's** report.

4. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at [his] **the coroner's** own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

5. The coroner shall certify the cause of death in any case under [his] **the coroner's** charge when a physician is unavailable to sign a certificate of death.

6. When the cause of death is established by the coroner, [he] **the coroner** shall file a copy of [his] **the** findings in [his] **the coroner's** office within thirty days.

7. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on [his] **the coroner's** own authority may make or cause to be made an autopsy on the body. The coroner may on [his] **the coroner's** own authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, [he] **the pathologist, chemist, or other expert** shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

8. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, [he] **the coroner** shall make out [his] **the coroner's** warrant directed to the sheriff of the city or county requiring [him] **the sheriff** forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased [came to his death] **died**.

9. (1) When a person is being transferred from one county to another county **or into the state of Missouri** for medical treatment and such person dies while being transferred, **or dies while being treated in the emergency room of the receiving facility** the [county] **place** from which the person is first removed shall be considered the place of death and the county coroner **or medical examiner** of the county **or state** from which the person was being transferred shall be responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [If]

(2) The coroner or medical examiner in the county in which the person [died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination] **is determined to be dead may with authorization of the coroner or medical examiner from the transferring county or state, investigate and conduct postmortem examinations** at the expense of [such] **the coroner or medical examiner [and shall be] from the transferring county or state. The coroner or medical examiner from the transferring county or state shall be** responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [Such]

(3) **The emergency room staff or the coroner or medical examiner from the county where a person is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which the person was being transferred of the death of such person [and after an investigation is completed shall notify such coroner or medical examiner of his findings], **and shall make available information and records necessary for investigation of the death.**

(4) If a person does not die while being transferred and is institutionalized **as a regularly admitted patient** after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person [dies] **is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

(5) **In the case of death by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or by any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.**

(6) **There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, child fatality, criminal abortion including those self-induced, or by any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead. The final investigation of death in determining the cause and manner of death shall revert to the county or state of origin, and the coroner or medical examiner of such county or state shall be responsible for the Missouri certificate of death.**

10. Except as provided in subsection 9 of this section, if a person dies in one county and [his] **the** body is subsequently transferred to another county **or into the state of Missouri, for burial or other reasons**, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

11. In performing [his] **the** duties **of the office**, the coroner or medical examiner shall make reasonable efforts to accommodate organ **and tissue** donation.

58.720. 1. When any person dies within a county having a medical examiner as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Thermal, chemical, electrical, or radiation injury;
- (3) Criminal abortions, including those self-induced;
- (4) Disease thought to be of a hazardous and contagious nature or which might constitute a threat to public

health; or when any person dies:

- (a) Suddenly when in apparent good health;
- (b) When unattended by a physician, chiropractor, or an accredited Christian Science practitioner, during the period of thirty-six hours immediately preceding his death;
- (c) While in the custody of the law, or while an inmate in a public institution;
- (d) In any unusual or suspicious manner;

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the office of the medical examiner of the known facts concerning the time, place, manner and circumstances of the death.

Immediately upon receipt of notification, the medical examiner or his designated assistant shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The medical examiner or his designated assistant shall take possession of all property of value found on the body, making exact inventory thereof on his report and shall direct the return of such property to the person entitled to its custody or possession. The medical examiner or his designated assistant examiner shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county medical examiner. Immediately upon receipt of such notification, the medical examiner or the medical examiner's deputy shall make a determination if further investigation is necessary, based on information provided by the individual contacting the medical examiner, and immediately advise such individual of the medical examiner's intentions.

3. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the medical examiner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

4. The medical examiner shall certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death, and may sign a certificate of death in the case of any death.

5. When the cause of death is established by the medical examiner, he shall file a copy of his findings in his office within thirty days after notification of the death.

6. (1) When a person is being transferred from one county to another county **or into the state of Missouri** for medical treatment and such person dies while being transferred, **or dies while being treated in the emergency room of the receiving facility**, the [county] place from which the person is first removed shall be considered the place of death and the **county coroner or** medical examiner of the county **or state** from which the person was being transferred shall be responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [If]

(2) The coroner or medical examiner in the county in which the person [died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination] **is determined to be dead may, with authorization of the coroner or medical examiner from the transferring county or state, investigate and conduct postmortem examinations** at the expense of [such] the coroner or medical examiner [and shall be] **from the transferring county. The coroner or medical examiner from the transferring county or state shall be** responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [Such]

(3) **The emergency room staff or the** coroner or medical examiner **from the county where a person is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which the person was being transferred of the death of such person [and after an investigation is completed shall notify such coroner or medical examiner of his findings], **and shall make available information and records necessary for investigation of the death.**

(4) If a person does not die while being transferred and is institutionalized **as a regularly admitted patient** after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person [dies] **is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

(5) In the case of death by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or by any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.

(6) There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, criminal abortion including those self-induced, child fatality, or by any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead, but the final investigation of death determining the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.

7. Except as provided in subsection 6 of this section, if a person dies in one county and [his] the body is subsequently transferred to another county or into the state of Missouri, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

8. In performing [his] the duties, the coroner or medical examiner shall make reasonable efforts to accommodate organ and tissue donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (158), **House Amendment No. 24** was adopted.

Representative Kuessner offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 99, Section 4, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at the Fort Davidson Historic Site to the City of Pilot Knob. The property to be conveyed is more particularly described as follows:

A tract of land situated in the City of Pilot Knob, County of Iron and the State of Missouri, lying in Part of Section 30, Township 34 North, Range 4 East of the Fifth Principal Meridian, described as follows, to wit: Commencing at the common corner of Sections 29, 30, 31 and 32, Township 34 North, Range 4 East, described on Survey Document Number 600-64159 as shown on a survey by PLS-2550 dated January 20, 2000 and filed with the Missouri Land Survey in Document Number 750-26834; thence along the line between Sections 29 and 30, North 00°45'46" East, 982.52 feet to an iron pin with cap by said PLS 2550; thence leaving said section line, West, 768.18 feet to an iron pin with cap by said PLS 2550 on the East right-of-way line of a County Road; thence along said County Road, North 30°50'55" West, 596.36 feet to the POINT OF BEGINNING of the tract herein described; thence continuing along said East right-of-way line, North 30°50'55" West, 6.84 feet to an iron pin with cap by said PLS 2550; thence leaving said East right-of-way line, North 07°30'05" West, 132.59 feet to a drill rod; thence North 24°07'24" West, 467.55 feet to an iron pin with cap by said PLS 2550; thence North 37°10'36" East, 265.27 feet to a drill rod; thence South 25°47'23" East, 332.36 feet to an iron pin; thence South 22°56'24" East, 642.56 feet to an iron pin; thence South 86°24'35" West, 573.80 feet to the point of beginning. Containing 9.07 Acres, more or less and being part of a larger parcel described in Book 359 at Page 756 of the Land Records of Iron County, Missouri.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kuessner, **House Amendment No. 25** was adopted.

Representative St. Onge offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 67.1305, Page 28, Line 183, by inserting immediately after said line the following:

“67.1754. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; **in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 26** was adopted.

Representative Wagner offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting immediately after said line the following:

“59.005. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Document" or "instrument", any writing or drawing presented to the recorder of deeds for recording;
(2) "File", "filed" or "filing", the act of delivering or transmitting a document to the recorder of deeds for recording into the official public record;

(3) "Grantor" or "grantee", the names of the parties involved in the transaction used to create the recording index;

(4) "Legal description", includes but is not limited to the lot or parts thereof, block, plat or replat number, plat book and page and the name of any recorded plat or a metes and bounds description with acreage, if stated in the description, or the quarter/quarter section, and the section, township and range of property, or any combination thereof. The address of the property shall not be accepted as legal description;

(5) "Legible", all text, seals, drawings, signatures or other content within the document must be capable of producing a clear and readable image from record, regardless of the process used for recording;

(6) "Page", any writing, printing or drawing printed on one side only covering all or part of the page, not larger than eight and one-half inches in width and eleven inches in height for pages other than a plat or survey;

(7) "Record", "recorded" or "recording", the recording of a document into the official public record, regardless of the process used;

(8) "Recorder of deeds", the separate recorder of deeds in those counties where separate from the circuit clerk and the circuit clerk and ex officio recorder of deeds in those counties where the offices are combined.

(9) **"Copying" or "Reproducing" any recorded instrument or document, the act of making a single reproduction in any medium of a recorded document or instrument;**

(10) **"Duplicate" copies, copies requested concurrently with, but in excess of one reproduction in any medium of a recorded instrument or document or collection thereof."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Substitute Amendment No. 1 for House Amendment No. 27.**

*House Substitute Amendment No. 1
for
House Amendment No. 27*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting immediately after said line the following:

"59.005. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Document" or "instrument", any writing or drawing presented to the recorder of deeds for recording;
(2) "File", "filed" or "filing", the act of delivering or transmitting a document to the recorder of deeds for recording into the official public record;

(3) "Grantor" or "grantee", the names of the parties involved in the transaction used to create the recording index;

(4) "Legal description", includes but is not limited to the lot or parts thereof, block, plat or replat number, plat book and page and the name of any recorded plat or a metes and bounds description with acreage, if stated in the description, or the quarter/quarter section, and the section, township and range of property, or any combination thereof. The address of the property shall not be accepted as legal description;

(5) "Legible", all text, seals, drawings, signatures or other content within the document must be capable of producing a clear and readable image from record, regardless of the process used for recording;

(6) "Page", any writing, printing or drawing printed on one side only covering all or part of the page, not larger than eight and one-half inches in width and eleven inches in height for pages other than a plat or survey;

(7) "Record", "recorded" or "recording", the recording of a document into the official public record, regardless of the process used;

(8) "Recorder of deeds", the separate recorder of deeds in those counties where separate from the circuit clerk and the circuit clerk and ex officio recorder of deeds in those counties where the offices are combined.

(9) **"Copying" or "Reproducing" any recorded instrument or document, the act of making a single reproduction in any medium of a recorded document or instrument;**

(10) **"Duplicate" copies, copies requested concurrently with, but in excess of one reproduction in any medium of a recorded instrument or document or collection thereof."**; and

Further amend said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 473.771, Page 94, Line 55, by inserting after said line the following:

483.537. The clerk of any state court who, by deputy or otherwise, takes or processes applications for passports or their renewal shall account for the fees charged for such service [, and remit eighty percent of the same on the last day of each month to the state, and twenty percent to the county where the application was taken] **and for the expenditure of such fee in an annual report made to the presiding judge and the office of the state courts administrator. Such fees shall be only for the maintenance of the courthouse or to fund operations of the circuit court."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Substitute Amendment No. 1 for House Amendment No. 27** was adopted.

Representative Wilson (130) offered **House Amendment No. 28.**

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 233.295, Page 79, Line 60, by inserting after all of said line the following:

“7. Notwithstanding other provisions of this section to the contrary, in any county, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

8. Notwithstanding other provisions of this section to the contrary, in any county, a petition to disincorporate a road district located in two counties organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority in each county in which the road district is located. Each petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district and county, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission in each county in which the road district is located that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission in each county in which the road district is located shall disincorporate the road district. A road district located in two counties shall not be disincorporated until it is disincorporated in each county in which it is located.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 28** was adopted.

Representative Rupp offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 38, Section 99.1082, Line 62, by inserting after "assessments." the following:

"Provided however, the governing body of any county may, by resolution, exclude any portion of any county-wide sales tax of such county."

On motion of Representative Rupp, **House Amendment No. 29** was adopted.

Representative Bowman offered **House Amendment No. 30.**

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 55, Section 137.071, Line 24, by inserting after all of said line the following:

"137.102. As used in this section and section 137.104, the following terms shall mean:

(1) **"Homestead"**, a taxpayer-owned and occupied principle dwelling real or personal property, along with appurtenances thereto and personal property thereon and up to five acres of land surrounding it as it is reasonably necessary for use of the dwelling as a home; provided, however, that the dwelling shall have been owned in fee simple by said taxpayer for a continuous period of not less than five years. If the homestead is

located in a multi-unit building, the homestead is the portion of the building actually used as the principle dwelling and its percentage of the value of the common elements and of the value of the property upon which it is built. The percentage is the value of the unit consisting of the homestead compared to the total value of the building exclusive of common elements, if any;

(2) "Household", a person or group of persons living together in a room or group of rooms as a housing unit, but the term does not include persons boarding in or renting a portion of the dwelling;

(3) "Household income", the federal adjusted gross income as defined in Section 62 of the United States Internal Revenue Code, of all members in the household;

(4) "Individual with a disability", a taxpayer with a physical or mental impairment which substantially limits one or more of a person's major life activities, or who is regarded as having such an impairment, or has a record of having such an impairment;

(5) "Tax-deferred property", the property upon which increases in taxes are deferred under this section;

(6) "Taxes" or "property taxes", ad valorem taxes, assessments, fees, and charges entered on the assessment and tax roll.

137.104. 1. Beginning January 1, 2006, any taxpayer sixty-five years of age or older with a household income of seventy thousand dollars or less, or any individual with a disability receiving Social Security income, may elect to defer any increases in taxes on homestead property beyond the total property taxes paid in the previous year, by obtaining a deferral after January first and on or before October fifteenth of the first year in which deferral is first claimed.

2. In order to qualify for tax deferral under this section, the following requirements must be met when the claim is filed and thereafter so long as the payment of taxes by the taxpayer is deferred:

(1) The property must be the homestead of the taxpayer who files the claim for deferral, except for a taxpayer required to be absent from the homestead by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(2) The homestead must be located in a county with a charter form of government and with more than one million inhabitants;

(3) There must be no prohibition to the deferral of property taxes contained in any provision of federal law, rule, or regulation applicable to a mortgage, trust deed, land sale contract for which the homestead is security;

(4) The equity interest in the homestead must equal or exceed ten percent of the true value in money of the homestead; and

(5) The taxpayer claiming the deferral must show proof of, and maintain throughout the deferral period, insurance on the homestead in an amount equal to or exceeding the assessed value of the homestead.

3. A taxpayer's claim for deferral under this section shall be filed with the county assessor in writing on a form supplied by the department of revenue and shall:

(1) Describe the homestead;

(2) Recite facts establishing the eligibility for the deferral under the provisions of section 137.102, including facts that establish that the household income of the individual or individuals in the household was, for the calendar year immediately preceding the calendar year in which the claim was filed, seventy thousand dollars or less; or

(3) Have attached any documentary proof required by the director to show that the requirements of this section have been met. A federal income tax return shall be determined as proof of eligibility under this income guideline.

4. The county assessor shall forward each claim filed under this section to the director of revenue, who shall determine if the property is eligible for deferral. If eligibility for deferral of homestead property taxes is established, the director of revenue shall notify the county assessor collector who shall show on the current ad valorem assessment and tax roll which property is tax-deferred property by an entry clearly designating such property as tax-deferred property.

5. The portion of increased taxes due beyond the total base amount of ad valorem property taxes paid in 2005 shall be deferred, and the county assessor or collector shall maintain accounts for each deferred property and shall accrue interest only on the amount of taxes deferred. The interest rate shall be two and one-half percent annually. The director of revenue shall have a lien on the homestead property in the amount of the deferred taxes and interest due.

6. The lien created under this section shall have the same priority as other real property tax liens except that the lien of mortgages, trust deeds, or security interests which are recorded or noted on a certificate of title prior in time to the attachment of the lien for deferred taxes shall be prior to the liens for deferred taxes.

7. Deferred ad valorem taxes and accrued interest shall become due and payable when:

(1) The taxpayer who claimed deferment of collection of property taxes on the homestead dies, or if there was more than one claimant, the survivor of the taxpayer who originally claimed the deferment of collection of property taxes under this section dies;

(2) The property with respect to which deferment of collection of taxes is claimed is sold or otherwise transferred;

(3) The tax-deferred property is no longer the homestead of the taxpayer who claimed the deferral, except in the case of a taxpayer required to be absent from such tax-deferred property by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(4) The tax-deferred property is a manufactured structure or floating home which is moved out of the state.

8. Whenever any of the circumstances listed in this subsection occurs, the deferral of taxes for the assessment year in which the circumstance occurs shall continue for such assessment year, and the amounts of deferred property taxes, including accrued interest, for all years shall be due and payable on the date of closing or the date of probate to the director of revenue. If the homestead property is removed from the state, the amount of deferred taxes shall be due and payable five days before the date of removal of the property from the state. All payments of deferred taxes shall be made to the county collector and shall be distributed in accordance with the then-current distribution plan.

9. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations that they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulation, as amended.

10. The provisions of this section shall automatically sunset five years after the effective date of this section unless reauthorized by an act of the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bowman, **House Amendment No. 30** was adopted.

Representative Roorda offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Pages 88 and 89, Section 321.222, Lines 1 to 37, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 31** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Aull	Baker 25	Baker 123	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Fraser	George	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Moore	Oxford

Portwood	Pratt	Robb	Robinson	Roorda
Rucker	Rupp	Salva	Schaaf	Schoemehl
Selby	Shoemyer	Silvey	Skaggs	Smith 14
Spreng	St. Onge	Storch	Sutherland	Threlkeld
Villa	Vogt	Wagner	Walsh	Walton
Wasson	Whorton	Wildberger	Wright-Jones	Young
Zweifel				

NOES: 080

Avery	Bearden	Behnen	Bivins	Black
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Faith	Fares	Fisher	Flook
Franz	Goodman	Henke	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kratky	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Phillips	Pollock	Quinn	Rector
Richard	Roark	Ruestman	Sander	Sater
Schad	Schlottach	Schneider	Self	Smith 118
Stefanick	Stevenson	Swinger	Tilley	Viebrock
Wallace	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yaeger	Mr Speaker

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

Representative Fares offered **House Amendment No. 32**.

Representative Shoemyer raised a point of order that the distribution of **House Amendment No. 32** was not timely.

The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin

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Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Mr Speaker	

NOES: 063

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

On motion of Representative Johnson (47), **HCS SS SCS SB 210, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS SS SCS SB 210, as amended**, was read the third time and passed by the following vote:

AYES: 110

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Bowman	Boykins	Bringer
Brown 30	Bruns	Burnett	Byrd	Chinn
Cooper 120	Cooper 155	Corcoran	Cunningham 145	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Emery	Faith
Fares	Fisher	Flook	Franz	George
Goodman	Guest	Henke	Hobbs	Hughes
Hunter	Ice	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner

Lager	Liese	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Quinn
Rector	Richard	Robb	Rupp	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yaeger	Young	Mr Speaker

NOES: 047

Aull	Baker 25	Brooks	Brown 50	Casey
Chappelle-Nadal	Cooper 158	Cunningham 86	Darrough	Donnelly
Dougherty	Dusenberg	El-Amin	Ervin	Fraser
Harris 23	Harris 110	Haywood	Hoskins	Hubbard
Jackson	Johnson 61	Johnson 90	Lampe	Lembke
LeVota	Lipke	Low 39	Meadows	Oxford
Portwood	Pratt	Roark	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Selby
Storch	Vogt	Walton	Whorton	Wildberger
Wright-Jones	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 40, HB 260, HCS HB 448** and **HCS HB 631** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 40, HB 260, HCS HB 448** and **HCS HB 631** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SB 189, HCS SCS SB 252** and **HCS SCS SB 270** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Bearden resumed the Chair.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 2170 - Rules

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 972 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SS SCR 7 - Job Creation and Economic Development

SCR 15 - Special Committee on General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 173 - Fiscal Review (Fiscal Note)

HCS SCS SBs 420 & 344 - Fiscal Review (Fiscal Note)

SS SCS SBs 37, 322, 78, 351 & 424 - Crime Prevention and Public Safety

SS SCS SB 144 - Judiciary

SS SB 220 - Local Government

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 665** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 970**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 320**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 342**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SB 362**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 43**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 53**, entitled:

An act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of certain highways and bridges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 155**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 243**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 361 and HB 684**, entitled:

An act to repeal sections 488.5050, 650.050, 650.052, and 650.055, RSMo, and to enact in lieu thereof four new sections relating to DNA profiling, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 362**, entitled:

An act to repeal section 610.123, RSMo, section 577.054, as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 843, ninety-second general assembly, second regular session, and section 577.054, as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof two new sections relating to expungement petitions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 422**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 445**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 450**, entitled:

An act to repeal sections 311.325 and 311.554, RSMo, and to enact in lieu thereof seventeen new sections relating to wine, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 453**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 456**, entitled:

An act to repeal section 540.031, RSMo, and to enact in lieu thereof one new section relating to duties of grand juries

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 486**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 515**, entitled:

An act to repeal sections 67.1956, 67.1959, 67.1968, and 67.1979, RSMo, and to enact in lieu thereof four new sections relating to tourism community enhancement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 531**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 567**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 577**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 630**, entitled:

An act to repeal sections 355.716 and 355.871, RSMo, and to enact in lieu thereof two new sections relating to not-for-profit corporations.

With Senate Perfecting Amendment No. 1.

Senate Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 630, Page 2, Section 355.716, Line 13, by striking the word “avoid” and inserting in lieu thereof the following:

“void”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 631**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 638**, entitled:

An act to repeal section 182.707, RSMo, and to enact in lieu thereof one new section relating to qualifications of the chief executive officer of the urban public library district.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 685**, entitled:

An act to authorize the board of governors of Southwest Missouri State University to convey property in Greene and Howell Counties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 688**, entitled:

An act to repeal section 510.120, RSMo, and to enact in lieu thereof one new section relating to judicial procedures, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 743**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 237**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 237;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Klindt
/s/ John E. Griesheimer
/s/ Timothy P. Green
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Rex Rector
/s/ Ed Emery
/s/ Paul LeVota
/s/ Thomas E. George
/s/ Rodney Schad

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 3, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 1325 of the House Journal for Thursday, April 28, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2005.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 3, 2005, 8:30 a.m. Hearing Room 1.

Discussion on prioritizing the list of ideas from committee members regarding the Department of Conservation.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 3.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Wednesday, May 4, 2005, 9:00 a.m. To be announced.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon afternoon adjournment.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 35, SCS SB 481

FISCAL REVIEW

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 4, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 6.
Executive session.

JUDICIARY

Tuesday, May 3, 2005, Hearing Room 7 upon morning recess.
Executive session may follow.
Public hearings to be held on: HB 557, HB 938, SB 86

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 1.
Public hearings to be held on: HB 504, HB 550, HB 599

RULES

Tuesday, May 3, 2005, 8:00 a.m. House Lounge.

Executive session may follow. Corrected Notice.

Public hearings to be held on: HCS HB 948, HCS#2 HB 131,
HB 925, HCS HB 859, HCS HB 15, HCS HB 19, HCS HJR 12,
SB 254, HCS SS SCS SBs 74 & 49, HCS SCS SB 500

SPECIAL COMMITTEE ON EDUCATION FUNDING

Wednesday, May 4, 2005, 12:00 p.m. To be announced.

Executive session may follow.

Public hearing to be held on: SS SCS SB 287

HOUSE CALENDAR

SIXTY-SEVENTH DAY, TUESDAY, MAY 3, 2005

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 18 - Lager

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491 - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach

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26 HCS HB 842 & 831 - Robb

27 HB 875 - Moore

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 639, as amended - Hoskins

2 HB 376 - Guest

3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILLS FOR THIRD READING

1 HB 375 - Nance

2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng

3 HCS HB 665 - Behnen

4 HCS HB 697, (Fiscal Review 4-27-05) - Lembke

5 HB 952, E.C. - Icet

6 HB 880 - Hughes

7 HB 789 - Salva

8 HCS HB 972, (Fiscal Review 5-2-05) - Jetton

9 HCS HB 192, E.C. - Sander

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

1 SCS SB 222 - Sutherland

2 SB 298 - Wright-Jones

3 SB 299 - Wright-Jones

4 SCS SB 302 - Cunningham (86)

5 SB 306 - Dethrow

6 HCS SB 307 - Kuessner

7 SB 318 - Cooper (120)

8 SB 347 - Cooper (155)

9 SB 394 - Pearce

10 SCS SB 407 - Lipke

11 SB 453 - St. Onge

12 SB 480 - Kraus

13 HCS SB 490 - Pearce

14 SCS SB 501 - Stefanick

15 SB 507 - Baker (25)

16 SB 516 - Richard

17 SB 518 - Cooper (155)
18 SCS SB 6 - Lager
19 HCS SB 38 - Ruestman
20 SB 122 - Wright (137)
21 SB 162 - Cooper (155)
22 HCS SB 174, E.C. - Bruns
23 HCS SB 177 - Behnen
24 HCS SCS SB 182 - Rector
25 SB 209 - Pearce
26 HCS SB 216 - Goodman
27 SCS SB 227 - Kuessner
28 HCS SCS SB 238 - Faith
29 SCS SB 247 - Bruns
30 SB 265 - Wood
31 SB 288 - Lager
32 SB 304 - Ervin
33 HCS SB 308 - Pollock
34 SB 317 - Smith (118)
35 SCS SB 354 - Schlottach
36 SB 357 - Johnson (47)
37 HCS SB 364, E.C. - Franz
38 HCS SCS SB 372 - Kuessner
39 SCS SB 374 - Zweifel
40 SB 396 - Sutherland
41 HCS SB 401 - Lembke
42 SB 418 - Lipke
43 HCS SB 422 - Yates
44 HCS SCS SB 423 - Lipke
45 HCS SCS SB 450, E.C. - Portwood
46 SCS SB 496 - Kelly
47 SCS SB 502, E.C. - Portwood
48 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 70 - Richard
2 SB 367 - Deeken
3 SCS SB 390 - Pratt
4 SB 488, HCA 1 - Robinson
5 SCS SB 170, E.C. - Byrd
6 SB 280 - Wasson
7 SB 286 - Kingery
8 SB 479 - May
9 SB 526 - Cunningham (145)
10 SB 180 - Cooper (158)
11 HCS SCS SB 260 - Baker (123)
12 SB 268 - Byrd

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- 13 SB 274 - Richard
- 14 SS SCS SB 346 - Ruestman
- 15 HCS SS SB 95 - Hubbard
- 16 HCS SB 99 - Wood
- 17 SB 141 - Richard
- 18 HCS SS SCS SB 168 - Pratt
- 19 HCS SB 173, (Fiscal Review 5-2-05) - Hobbs
- 20 HCS SB 187 - Guest
- 21 HCS SB 192 - Robinson
- 22 HCS SCS SBs 221, 250 & 256 - St. Onge
- 23 SB 232, HCA 1 - Bivins
- 24 SCS SB 310 - Dixon
- 25 HCS SCS SB 319 - Roark
- 26 HCS SS SB 343 - Richard
- 27 SB 361 - Nance
- 28 SB 380 - Cunningham (86)
- 29 HCS SCS SBs 420 & 344 - Byrd (2 hours debate on Third Reading)
(Fiscal Review 5-2-05)
- 30 SB 431, E.C. - Sutherland

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS#2 SB 155, as amended (request House recede/grant conference) - Kingery
- 2 HCS SCS SB 246, (request House recede/take up and pass bill) - Villa

BILLS IN CONFERENCE

- 1 SCS HB 1 - Lager
- 2 SCS HCS HB 2 - Lager
- 3 SCS HCS HB 3, as amended - Lager
- 4 SCS HCS HB 4 - Lager
- 5 SCS HCS HB 5 - Lager
- 6 SCS HCS HB 6 - Lager
- 7 SCS HCS HB 7, as amended - Lager
- 8 SCS HCS HB 8, as amended - Lager
- 9 SCS HCS HB 9 - Lager
- 10 SCS HCS HB 10, as amended - Lager
- 11 SCS HCS HB 11, as amended - Lager
- 12 SCS HB 12, as amended - Lager
- 13 SCS HB 13 - Lager
- 14 CCR HCS SS SCS SB 237, as amended - Rector

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HCR 14, (4-26-05, Pages 1277-1278) - Zweifel